



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MAR 26 2010

OFFICE OF
WATER

Mr. Matthew D. Vespa
Senior Attorney, Climate Law Institute
Center for Biological Diversity
351 California Street, Suite 600
San Francisco, CA 94104

Dear Mr. Vespa:

On behalf of the U.S. Environmental Protection Agency (EPA), I would like to thank you for your February 22, 2010, petition requesting that the Agency develop ambient water quality criteria for black carbon on sea ice and glaciers under Section 304 of the Clean Water Act, 33 USC § 1314. This letter acknowledges receipt of the Center for Biological Diversity's petition.

The Center for Biological Diversity is formally requesting that the Agency (EPA) initiate a rulemaking pursuant to the Clean Water Act, 33 U.S.C. § 1314(a), to address threats posed by black carbon. This Petition for rulemaking requests that the EPA:

- (1) Develop national water quality criteria pursuant to section 304(a)(1) stating that black carbon concentrations on sea ice and glaciers should not deviate measurably from preindustrial levels.
- (2) Publish information on black carbon pursuant to section 304(a)(2) to guide states in identifying local sources of black carbon emissions and strategies for reducing those emissions.

EPA will carefully consider the information contained in the petition and will provide a written response to the Center for Biological Diversity on its intended course of action. In the interim, please direct any questions or concerns regarding this petition to Joe Beaman, Chief, Ecological Risk Assessment Branch at (202-566-0420).

Sincerely,

A handwritten signature in dark ink, appearing to read "Ephraim King", is written over a faint, larger signature that appears to be "D. King".

Ephraim King, Director
Office of Science and Technology